

MINUTES

CASE NUMBER: CV NO. 04-00671HG-LEK

CASE NAME: Raymond Ware vs. Michael Chertoff, in his official capacity as Secretary of the Department of Homeland Security

ATTYS FOR PLA: Daphne E. Barbee

ATTYS FOR DEFT: Thomas A. Helper

INTERPRETER:

JUDGE: Helen Gillmor

REPORTER: Steve Platt

DATE: 07/23/2007

TIME: 10:45am-11:52am

COURT ACTION: EP: Defendant Michael Chertoff's Second Motion to Dismiss and For Summary Judgment-Oral Argument Held.

Defendant's Motion is **GRANTED** with regard to Plaintiff's claims for: (1) hostile work environment; (2) failure to promote to rotating screening manager position from October 2002 to February 2003; and (3) failure to promote to temporary screening manager position in June 2003.

Defendant's Motion is **DENIED** as to Plaintiff's claims for: (1) discrimination and retaliation in failing to hire for permanent screening manager position in September 2003; and (2) unlawful termination in November 2003.

A written order will issue.

The Court **VACATES** the Trial Date of September 25, 2007 and all Trial related scheduling deadlines. Counsel are to confer as to a new Trial Date and contact Judge Gillmor's Courtroom Manager, Mary Feria, two weeks from today's date.

The Court extends the deadline to file dispositive motions to **October 15, 2007**.

Submitted by Leslie L. Sai, Courtroom Manager